



## CONGRESSIONAL HISPANIC CAUCUS

*Joaquin Castro | Chairman*

116<sup>TH</sup> CONGRESS

March 19, 2020

Brian Blalock

Secretary

New Mexico Children, Youth and Families Department Protective Services Division

PO Drawer 5160

1120 Paseo De Peralta, Santa Fe, NM 87501

Dear Brian Blalock;

We write to you as we have become aware that certain state child welfare agencies have been removing U.S. citizen babies from migrant mothers at the behest of immigration officials<sup>[1]</sup>. According to media reports, children have been removed from their mothers' care because immigration officials intend to detain their mothers or subject them to the "Remain in Mexico" policy. State child welfare agencies have a duty to do what is best for a child and your goal should always be to keep families together whenever possible. Further, some states have laws that prevent state agencies from using resources on behalf of immigration enforcement agencies. We are disturbed to learn that the Department of Homeland Security (DHS) is using some state welfare agencies to further the Trump Administration's cruel and anti-immigrant agenda.

Based on the information we have from national articles, it appears that immigration officials are separating babies from their mothers in order to use cruelty as a deterrent for immigrating to the United States. Based on the limited stories reported, separations have taken place in California<sup>[2]</sup> and Texas<sup>[3]</sup> – it appears that in some instances immigration officials contacted the state child welfare agency to take the children because the federal government's intent was to detain the mother or parent. In other cases, mothers were already in detention when they gave birth and at that point immigration officials contacted the state child welfare agency. Last fiscal year, Congress appropriated \$319 million dollars to fund alternatives to detention, which is supposed to be used to assist vulnerable families who often have special or immediate medical needs, to be paroled in their communities where they can find the support and care they need. This type of assistance ensures that vulnerable families are kept together in one unit and are provided assistance as they proceed through their immigration proceedings.

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<sup>[1]</sup> [https://www.sandiegouniontribune.com/news/immigration/story/2020-01-06/honduran-mom-allegedly-told-she-would-be-separated-from-baby-still-in-u-s?](https://www.sandiegouniontribune.com/news/immigration/story/2020-01-06/honduran-mom-allegedly-told-she-would-be-separated-from-baby-still-in-u-s?hpid=hp_hp-top-table-main-immigration%3A-honduran-mom-allegedly-told-she-would-be-separated-from-baby-still-in-u-s%3A-story%3Ahomepage%2Ft%3A-immigration#hpid=hp_hp-top-table-main-immigration%3A-honduran-mom-allegedly-told-she-would-be-separated-from-baby-still-in-u-s%3A-story%3Ahomepage%2Ft%3A-immigration)

<sup>[2]</sup> Ibid

<sup>[3]</sup> <https://rewire.news/article/2019/05/28/trump-administration-separates-pregnant-migrants-newborns-before-returning-detention/>



- b. Are there certain situations where your child protective services agency declines referrals from immigration authorities? If so, what are they?
4. If a child is removed from his or her parents in situations where the only allegation is neglect due to immigration status, what is the procedure for establishing family reunification?
  - a. How does your state approach the child welfare case in instances where a child's parent is deported from the United States after the case becomes known to child welfare?
  - b. What measures are in place to ensure the parent receives complete information related to their child welfare case, how to stay in touch with the child welfare agency, and participating in the child welfare case plan?
5. Does your state agency have any Memorandum of Understandings with other countries, like Mexico, Guatemala, Honduras, or El Salvador to ensure the protection of both foreign national parents and their children?

We have a moral duty to protect families and children. We cannot allow the Trump Administration to continue using family separation as a cruel deterrence strategy toward families fleeing violence, persecution and even death. We look forward to receiving responses to our questions above and look forward to working with you.

Thank you for your attention to this immediate matter.

Sincerely,

Joaquin Castro  
CHC Chair

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CHC First Vice Chair

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